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FM AMEMBASSY ULAANBAATAR
TO RUEHC/SECSTATE WASHDC 2101
INFO RUEHUL/AMEMBASSY SEOUL 3312
RUEHBJ/AMEMBASSY BEIJING 6113
RUEHMO/AMEMBASSY MOSCOW 2206
RUEHKO/AMEMBASSY TOKYO 2989
RUEHBY/AMEMBASSY CANBERRA 0273
RUEHML/AMEMBASSY MANILA 1720
RUEKJCS/SECDEF WASHINGTON DC
RHEHNSC/NSC WASHINGTON DC
RUCNDT/USMISSION USUN NEW YORK 0595
RUEHGV/USMISSION GENEVA 0395
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SIPDIS

SENSITIVE

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STATE FOR EAP/CM, EAP/PD, DRL, EAP/P, IIP/EAP
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TAGS: [PGOV](#) [PREL](#) [OPRC](#) [KDEM](#) [KMDR](#) [KPAO](#) [MG](#)

SUBJECT: MONGOLIAN PRESS MOSTLY OR "PARTLY FREE," BUT FEELING
INTIMIDATED

Ref: A) 07 Ulaanbaatar 0558, B) Ulaanbaatar 0191

SENTITIVE BUT UNCLASSIFIED - NOT FOR INTERNET DISTRIBUTION

11. (SBU) SUMMARY AND COMMENT: The Mongolian media are "partly free," according to the latest Freedom House report, citing cases of intimidation of the press and the selective use of defamation lawsuits for this judgment. They note that these abuses present an obstacle to Mongolia's continuing democratization. Although the Constitution enshrines freedom of speech and press, the work of journalists is limited by political and business interests, which result in self-censorship. Many newspapers and TV networks are believed to be owned or partly owned by senior government officials, but ownership is unclear because Mongolian law does not regulate media-group ownership nor require transparency of ownership. Overall the number of media organizations has increased, perhaps fueled by the approach of parliamentary elections. Physical attacks against journalists occur but are rare. Journalists and NGOs continue to target the far-reaching State Secrets Law, which inhibits freedom of information and, for example, keeps secret even the depth of Mongolia's rivers. Efforts to see freedom-of-information legislation enacted have been stalled, at least for the time being. COMMENT: In post's view, Mongolia's media are mostly free by U.S. standards and especially when compared to their development level cohort. The GOM has agreed to pursue a U.S.-Mongolia Transparency Agreement regarding trade and investment (ref B), an agreement which will potentially help open up some portions of Mongolia's system and probably require the revision of the State Secrets Law. Meanwhile, post will continue to highlight our concerns via opeds, conversations with GOM officials, and through our Human Rights Report and other reports. END SUMMARY AND COMMENT.

INTIMIDATION AND DEFAMATION SUITS

12. (SBU) Journalists say they are intimidated through civil and criminal defamation suits as well as pressure to reveal sources. They report sometimes being questioned by the police or intelligence officers, and a lack of police interest in investigating when they are physically attacked or harassed. The Mongolia office of Globe International, an NGO focusing on media and human rights, reports 37

cases of "violations of the rights of journalists" in 2007, including:

- 3 physical attacks,
- 20 searches,
- 2 criminal complaints for publishing information,
- 2 imprisonments, and,
- 10 cases of court proceedings or other forms of pressure.

13. (SBU) In 2006, 36 lawsuits were brought against journalists, 33 of them civil and three criminal. Over half (52.2%) of the plaintiffs were politicians, state employees or state organizations. Journalists lost 54.8% of the cases and won only 9.6%, while 35.6% were resolved through negotiation.

PROGRESS QUESTIONED, PROFESSIONALISM LACKING

14. (SBU) The most recent Freedom House report gives Mongolia a "partly free" grade and suggests that media freedom deteriorated somewhat in 2006, due to an increase in attacks on and harassment of journalists, as well as the pursuit of criminal charges and civil defamation lawsuits against reporters. The General Secretary of the Mongolian Newspapers' Association, Ms. L. Ninjamts, believes that the "partly free" grade "is still progress," while Ms. R. Oyuntsetseg, Executive Director of the Press Institute of Mongolia, is more critical, and said she did not see any progress in the past year. The June 2007 crash of a government helicopter carrying firefighters presented a unique instance of journalists asking officials "difficult questions" and reporting from the victims' perspective. Oyuntsetseg believes Mongolian journalists have a good theoretical understanding of investigative journalism (reinforced through PAS-funded translations and grants), but lack practical

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skills and experience. (Note: USAID has launched a program which provides background briefings for Mongolian journalists on energy issues and Mongolia's energy system to build a better knowledge base to advance sector reform. End Note.) Social critic B. Batchuluun criticizes Mongolian journalists for exercising self-censorship and sometimes showing a lack of professionalism.

"INEXPERIENCED YOUNG KIDS"

15. (SBU) Media observer and journalist D. Tserenjav laments that media organizations are "full of inexperienced young kids," an allegation not without foundation in fact. Journalists who attend Embassy press events are primarily young women in their 20s. Based on post's recent experience, their commitment to their profession is sometimes less than total. For example, a 24-year-old reporter for a major newspaper, earning \$250 a month, decided not to return to Mongolia after covering President Enkhbayar's October 2007 visit to Washington. Many younger reporters find it difficult to break into senior positions, and our contacts tell us that to climb the ladder often requires the blessing or support of figures in the political or business world. Although statistics are unavailable, some journalists are believed to leave the profession as a result of intimidation connected to their reporting.

NO TRANSPARENCY IN MEDIA OWNERSHIP

16. (SBU) Mongolian law does not regulate the ownership of media organizations or insist that ownership be transparent. Although media ownership did not appear in the financial disclosure statements made by top public officials, many politicians are believed to be owners or part-owners of various own media outlets. Only one public official has openly announced investment in media: President Enkhbayar, for TV9. The President's wife is rumored to own Zuuny Medee, a mainstream newspaper with the second largest circulation (at 9,000); the paper consistently praises the President and his policies. Journalists and NGOs complain that the lack of transparency in media ownership enables newspapers and TV networks to serve as mouthpieces for political and business interests. Also problematic, pointed out social critic Batchuluun, is that some

journalists become affiliated with a certain political party and openly serve certain politicians and candidates.

PROLIFERATION OF TV NETWORKS

17. (SBU) Perhaps fueled by the approach of parliamentary elections (scheduled for June 29), there has been an increase in the number of TV stations based in Ulaanbaatar. Online media organizations are also growing in number, encouraged by technological improvements. According to media observer Tserenjav, the most recent broadcast license was sold for 800 million togrogs (around US\$700,000), a small fortune in a country with where per-capita incomes of \$1,400 (according to figures cited by the Prime Minister.)

WE CAN'T TELL YOU; IT'S A STATE SECRET

18. (SBU) The far-reaching State Secrets Law, which inhibits freedom of information, government transparency and accountability, has long been criticized by civil society - thus far to little effect. The current law is ridiculously broad; for example, it keeps secret the depth of rivers, and the names of recipients of Mongolian government scholarships. (Note: The latter fuels suspicion that scholarships are frequently awarded to children of the rich and powerful. End Note.) Assisted by EAP/PD's 2006 and 2007 Small Democracy Grants Program, Globe International has been holding seminars and making recommendations for legislation to amend the law, and to protect journalists from defamation lawsuits. In March, Globe's President, Naranjargal, discussed amendments to the State Secrets Law with General Intelligence Agency Chief Bold, formerly Mongolia's Ambassador to the U.S. Naranjargal seeks revision of the list of topics considered state secrets, in order to make more information available to the public and press. A parliamentary working group

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was established to finish a draft Freedom of Information Act; Naranjargal expressed hope that it will be enacted on May 3, International Press-Freedom Day.

FREEDOM OF INFORMATION

19. (SBU) However, discussion of a draft Freedom of Information Act, promoted by Globe's work, was deferred by Parliament on April 22. Two Members of Parliament (MP) argued that the legislature should first address the Election Law. In postponing debate on the draft Freedom of Information Act, the former Speaker Nyamdorj, of the governing Mongolian People's Revolutionary Party (MPRP), said those wanting to discuss freedom of information should "do TV interviews if you want to politicize the issue." To Mongolian media observers, this was a telling comment which indicated that, for the time being, press freedom will remain an issue of interest to journalists and NGOs, but not to Mongolia's elected officials.

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